

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO THE
CASE IN EXHIBIT A ATTACHED HERETO

INACTIVE DOCKET ORDER

The Court has been advised by counsel that in the case listed on the attached Exhibit A, the plaintiff and Ethicon, Inc.¹ ("Ethicon") have agreed to a settlement model with regard to Ethicon. The Court, therefore, finds it unnecessary to conduct further proceedings or to keep this case on the active docket. Accordingly, the Court **ORDERS** as follows:

1. All discovery deadlines are continued until further order of the Court.
2. That the Clerk retire the case listed on the attached Exhibit A to the pending inactive docket.
3. Plaintiff and Ethicon may submit an agreed order of dismissal with prejudice on or before August 31, 2018; if settlements are not finalized and dismissal orders are not submitted by August 31, 2018 then the Court will have a hearing to determine the appropriate action pertaining to any remaining cases on the inactive docket.

Counsel for plaintiff and defendant(s) are directed to provide quarterly reports as to their progress in dismissing cases on the inactive docket. The Court is aware that counsel have agreed to a settlement model for a group of cases and claims, including the case on Exhibit A. The Court

¹ Ethicon, Inc. includes any incorrect or incomplete spellings of this Defendant, and any Ethicon, Inc. entities.

will reinstate the case on the attached Exhibit A to the active docket if one of the parties, on motion, shows good cause for such reinstatement. Good cause includes, but is not limited to, a plaintiff's refusal or inability to consummate settlement. Such motion must be accompanied by an affidavit from plaintiff explaining such refusal or inability.

The Court **DIRECTS** the Clerk to file a copy of this order in MDL No. 2327 and in the case listed on the attached Exhibit A. The Clerk is further **DIRECTED** to send a copy of this Order to counsel of record and any unrepresented party. The Clerk is further **DIRECTED** to link this Order to the Proposed Inactive Docket Order filed at ECF No. 5561.



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

A handwritten signature in blue ink, appearing to read "Joseph R. Goodwin", is written over a solid horizontal black line. Below the line, the name "JOSEPH R. GOODWIN" is printed in a standard black font, followed by "UNITED STATES DISTRICT JUDGE" in a slightly smaller font.

EXHIBIT A

| CIVIL ACTION NUMBER (listed numerically in ascending order) | CASE NAME |
|--|------------------------------|
| 2:16-cv-06404 | Tranel v Ethicon, Inc. et al |
| 2:16-cv-7191 | Foust v Ethicon, Inc. et al |